

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF OHIO
EASTERN DIVISION

UNITED STATES OF AMERICA

Plaintiff

v.

HARSHAW CHEMICAL COMPANY

Defendant

US EPA RECORDS CENTER REGION 5



468486

No. C70-721

FINAL JUDGMENT

The Complaint having been filed herein on July 27, 1970, and plaintiff and defendant by their respective attorneys having consented to the entry of this Final Judgment, without trial or adjudication of any issue of fact or law herein and without this Final Judgment constituting evidence or admission by any party with respect to any issue of fact or law herein:

---NOW, THEREFORE, upon the pleadings and attachments thereto and without adjudication of any issue of fact or law herein, and upon consent of the parties hereto, it is hereby Ordered, Adjudged and Decreed as follows:

I.

This Court has jurisdiction of the subject matter herein and of the parties consenting hereto. The Complaint, as further described in Appendix "A" attached thereto, states a claim against the defendant under Title 33, U.S. Code, Section 407.

II.

The provisions of this Final Judgment shall apply to the Harshaw Chemical Company, its officers, agents, employees, successors and assigns.

III.

Defendant Harshaw Chemical Company is ordered to diligently pursue and to complete by not later than November 1, 1970 the construction of facilities and installation of equipment, now in process, necessary to effectuate the plan for the conditioning of calcium sulfate preparatory to introduction thereof into the sewage system of the City of Cleveland and for utilization therein as a precipitant for phosphates, all in accordance with plans entered into by the City of Cleveland and defendant Harshaw Chemical Company and approved by the Water Pollution Control Board of the State of Ohio.

IV.

Commencing November 1, 1970, defendant Harshaw Chemical Company shall be and is hereby enjoined from discharging into the Cuyahoga River suspended solids, as described in the Complaint and Appendix "A" thereto, upon advice by the City of Cleveland that it will accept the introduction of the aforesaid suspended solids into its sewage system, all in accordance with plans entered into by the City of Cleveland and defendant Harshaw Chemical Company and approved by the Water Pollution Control Board of the State of Ohio.

V.

Defendant Harshaw Chemical Company is ordered to diligently pursue and to complete by not later than December 31, 1970 the construction of facilities and installation of equipment for the neutralization of acidic refuse matter, and commencing December 31, 1970, defendant Harshaw Chemical Company shall be and is hereby enjoined from discharging into the Cuyahoga River acidic refuse matter having a pH value of less than 5.0 at the point of discharge.

VI.

Defendant Harshaw Chemical Company is ordered to continue operations of a Metallic Treating System for the reduction of heavy metals in discharges, and to diligently pursue and to complete by not later than December 31, 1970 the construction of facilities for the inclusion of all discharges containing heavy metals in said Metallic Treating System.

/s/ Thomas Lambros

United States District Judge

Dated: August 7, 1970